

DEFINITIONS

1. The definitions and rules of construction set forth in Local Civil Rule 26.3 (Uniform Definitions in Discovery Requests) of the Local Rules of the United States District Court for the Southern District of New York are incorporated by reference, as though fully set forth at length herein. You are particularly advised that:
 - a. Local Civil Rule 26.3(c)(1) defines the term “communication” to mean “the transmittal of information (in the form of facts, ideas, inquiries or otherwise).”
 - b. Local Civil Rule 26.3(c)(2) defines the term “document” to be synonymous in meaning and equal in scope to the usage of the terms “documents or electronically stored information” in Fed. R. Civ. P. 34(a)(1)(A) and also includes all drafts or non-identical copies of any document; and
 - c. Local Civil Rule 26.3(c)(7) defines the term “concerning” to mean “relating to, referring to, describing, evidencing or constituting.”
 - d. Local Civil Rule 26.3(d)(1) instructs that the terms “all,” “any,” and “each” shall each be construed as encompassing any and all.
 - e. Local Civil Rule 26.3(d)(2) instructs that the connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - f. Local Civil Rule 26.3(d)(3) instructs that the use of the singular form of any word includes the plural and vice versa.
2. The term “Babylon Landfill” refers to the former municipal landfill owned and operated by the Town of Babylon located in Suffolk County, New York

3. The term “Grumman” refers to Northrop Grumman Systems Corporation and all of its predecessors, including but not limited to Northrop Grumman Corporation, Grumman Corporation and Grumman Aircraft Engineering Corporation.

4. The terms “EPA” and “You” refer to the Environmental Protection Agency and any of its predecessor agencies.

5. The term “claim” refers to any claim, lawsuit, legal or administrative proceeding, demand for legal or equitable relief, or other demand for payment of funds or remedial action, or a declaration or determination of rights and duties therefor, concerning alleged environmental pollution or contamination of soil or groundwater.

6. The terms “environmental pollution” or “environmental contamination” mean pollution or contamination, whether potential, actual, threatened, or alleged, whether known or unknown, whether denominated as potential, actual, threatened, or alleged damage, to any air (whether indoor, outdoor, ambient, or otherwise), atmosphere, land, soil, water, water course, body of water, surface water, groundwater, biota, or any other tangible thing or resource arising out of the actual, potential, alleged, or threatened discharge, dispersal, release, emission, seepage, or escape of any pollutant, contaminant, or hazardous waste, including but not limited to smoke, vapors, soot, fumes, acids, alkalis, chemicals, liquids or gases, fungi (including mold, mold spores and parts of mold spores, and mycotoxins), waste or waste materials, asbestos, or other irritants, contaminants, or pollutants, whether or not harmful, hazardous, or toxic.

7. The term “Liberty Industrial Finishing Site” refers to the Superfund site located in the Village of Farmingdale, New York, with the assigned EPA ID # NYD000337295.

8. The term “North Sea Landfill” refers to the former approximately 130-acre landfill owned and operated by the Town of Southampton located in Southampton, New York, with the assigned EPA ID # NYD980762520.

9. The term “Scientific Chemical Processing-Carlstadt Site” refers to the Superfund site located in Carlstadt, New Jersey assigned the EPA ID # NJD070565403, and which includes the former approximately 6-acre industrial waste handling, processing, treatment and disposal facility operated by Scientific Chemical Processing, Inc.

10. The term “Scientific Chemical Processing-Newark Site” refers to the former industrial waste handling, processing, treatment and disposal facility operated by Scientific Chemical Processing, Inc. located in Newark, New Jersey.

DOCUMENT REQUESTS

1. All documents and communications concerning any claims against Grumman alleging environmental pollution or contamination of soil or groundwater and seeking payment of or reimbursement for environmental clean-up costs; any remedial investigation/feasibility study, requests for information, or other environmental investigation; or a declaration or determination of rights and duties therefor, in connection with any of the following locations:

- a. Babylon Landfill, Suffolk County, New York
- b. Liberty Industrial Finishing Site, Village of Farmingdale, New York
- c. North Sea Landfill, Southampton, New York
- d. Scientific Chemical Processing-Carlstadt Site, Carlstadt, New Jersey
- e. Scientific Chemical Processing-Newark Site, Newark, New Jersey

2. All documents and communications addressed to, or issued by or on behalf of, the EPA concerning Grumman regarding any of the locations identified in Request No. 1 above.

3. All documents and communications concerning alleged environmental pollution or contamination of soil and groundwater by Grumman at any of the locations identified in Request No. 1 above.

4. All documents and communications concerning alleged environmental pollution or contamination of soil and groundwater at any of the locations identified in Request No. 1 above, including any environmental studies of the locations and any information regarding the historical commercial operations and waste discharges at the locations.

5. Any and all record retention schedules in effect from January 1, 1951 to the present that were, are, or might be applicable to any of the documents that are the subject of this subpoena.